

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MADISON 92nd STREET ASSOCIATES, LLC,	:	
Plaintiff,	:	ECF Case
	:	Civil Action No. 13-CV-291(CM)
v.	:	
	:	Notice of Motion to Withdraw
	:	as Counsel
MARRIOTT INTERNATIONAL, INC., HOST	:	
HOTELS & RESORTS, INC., DIAMONDROCK	:	
HOSPITALITY CO., and the NEW YORK HOTEL	:	
& MOTEL TRADES COUNCIL, AFL-CIO,	:	
Defendants.	:	

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Boies, Schiller & Flexner LLP (“BSF”), which has served as counsel to Plaintiff Madison 92nd Street Associates, LLC (“Madison”) since the commencement of this lawsuit, submits this Notice of Motion to Withdraw as Counsel, accompanying Declaration of Nicholas A. Gravante, Jr. in Support of BSF’s motion, and Proposed Order Granting BSF’s Motion to Withdraw.

As BSF has previously informed this Court, BSF recently determined that a conflict of interest prevents it from further representing Plaintiff against Host Hotels & Resorts, Inc. (“Host”) or otherwise taking a position adverse to Host. BSF subsequently advised all parties that it would immediately withdraw from the representation of Madison.

Pursuant to Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, BSF hereby moves this Court for an Order to withdraw as counsel of record on behalf of Madison.

Dated: Armonk, New York
March 7, 2013

Respectfully submitted:
BOIES, SCHILLER & FLEXNER LLP
By: /s/ Nicholas A. Gravante, Jr.

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Defendants. :
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CERTIFICATE OF SERVICE

I, Nicholas A. Gravante, Jr., an attorney admitted to practice in the State of New York and a Partner of the firm of Boies, Schiller & Flexner, LLP, hereby certify that:

On the 7th day of March 2013, I have caused service of the Notice of Motion to Withdraw as Counsel for the Plaintiff Madison 92nd Street Associates, LLC and the Declaration of Nicholas A. Gravante, Jr. in Support of the Motion, all dated March 7, 2013, to be made by electronic filing with the Clerk of the Court using the CM/ECF System, which will send a Notice of Electronic Filing to all parties with an e-mail address of record, who have appeared and consent to electronic service in this action.

In addition, copies of the same documents were served by e-mail upon the Plaintiff Madison 92nd Street Associates, LLC, pursuant to Local Rule 1.4.

Dated: New York, New York
March 7, 2013

/s/ Nicholas A. Gravante, Jr.
Nicholas A. Gravante, Jr.

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v.	:	[Proposed] Order Granting
	:	Motion to Withdraw
	:	
MARRIOTT INTERNATIONAL, INC., HOST	:	
HOTELS & RESORTS, INC., DIAMONDRock	:	
HOSPITALITY CO., and the NEW YORK HOTEL	:	
& MOTEL TRADES COUNCIL, AFL-CIO,	:	
	:	
Defendants.	:	

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UPON CONSIDERATION of Boies, Schiller & Flexner LLP's Motion to Withdraw and the accompanying Declaration of Nicholas A. Gravante, Jr., it is ORDERED that the Motion is **GRANTED**.

Dated: March ___, 2013

THE HONORABLE COLEEN McMAHON
UNITED STATES DISTRICT COURT JUDGE